

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION
Civil Action No: 1:13-cv-1036

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

ROBERT A. HELMS, ET AL.,

Defendants,

and

WILLIAM L. BARLOW, and GLOBAL
CAPITAL VENTURES, LLC,

Relief Defendants, solely for the
purposes of equitable relief.

**INTERVENOR CLOVIS CAPITAL
VENTURES, LLC'S
PRETRIAL DISCLOSURES**

Pursuant to Rule 26(a)(3) of the Federal Rules of Civil Procedure and Rule 16(e) of the Local Rules of the Western District of Texas, Intervenor, Clovis Capital Ventures, LLC ("Clovis") provides the following pretrial disclosures. Clovis reserves the right to supplement these disclosures.

Pursuant to Rule 26(a)(3)(A)(i), Clovis will call the following witnesses at trial:

Douglas R. Smith
c/o William R. Terpening, Esq.
Nexsen Pruet PLLC
227 West Trade Street, #1550
Charlotte, North Carolina 28202
704.338.5358

Philip E. Gaucher, Jr.
c/o William R. Terpening, Esq.
Nexsen Pruet PLLC
227 West Trade Street, #1550
Charlotte, North Carolina 28202
704.338.5358

Also pursuant to Rule 26(a)(3)(A)(i), Clovis may call the following witnesses at trial if the need arises:

Thomas L. Taylor III
 c/o Andrew M. Goforth, Esq.
 The Taylor Law Offices, P.C.
 4550 Post Oak Place Drive, Suite 241
 Houston, Texas 77027
 713.626.5300

Pursuant to Rule 26(a)(3)(A)(ii), Clovis will present the following witnesses by deposition.

<u>Deponent Name</u>	<u>Deposition Date</u>	<u>Offering Party</u>	<u>Designation</u>
Avery Chapman	7/15/2014		20:11-25 21 22:1-5 24:24-25 25:1-7 25:20-25 26:1-7 27:10-15 43:5-9 45:16-19 76:2-7
Robert Helms	7/1/2014	Receiver, Thomas L. Taylor, III	113:6-25 114-115 116:1-24 120:17-24 130:2-25 131-139 140:1-23
Thomas L. Taylor, III	1/21/2015	Clovis Capital Ventures, LLC	12:1-14:13 17:3-16 18:23-25 20:21-21:14 27:23-28:2 29:5-30:15 31:22-32:3 33:14-34:23

			35:16-36:22 39:5-42:7 42:21-25 43:9-14 44:2-7 44:16-45:1 46:7-47:17 49:8-23 51:5-52:20 53:22-54:13 56:3-12 57:6-9 59:25-61:3 70:10-71:25 75:24-77:23 78:21-79:5 83:5-10 83:13-19 84:8-16
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Pursuant to Rule 26(a)(3)(A)(iii), Clovis will offer the following exhibits at trial:

<u>Number</u>	<u>Description</u>
I-1	Receiver Deposition Transcript Excerpts (1/21/2015)
I-2	Assignment, Conveyance and Mineral Deed
I-3	Philip Gaucher Deposition Transcript Excerpts (7/18/ 2014)
I-4	Hearing Transcript Excerpts (10/22/2014)
I-5	Email from Avery Chapman to Douglas Smith and Philip Gaucher dated 7/30/2013 (CL01424-01427)
I-6	Email from Avery Chapman to Douglas Smith dated 11/13/2013 (CL01428-01430)
I-7	Email from Avery Chapman to Robert Helms dated 9/1/2013 (CL01430)
I-8	Email from Avery Chapman to Philip Gaucher dated 11/24/2013 (CL01431-01432)
I-9	Email from Avery Chapman to Douglas Smith and Philip Gaucher dated 11/13/2013 (CL01432-01435)
I-10	Email from William Brock to Janniece Kaelin dated 11/12/2012 (Receiver 248861)
I-11	Email from William Brock to Janniece Kaelin dated 11/14/2012 (Receiver 248862)
I-12	Email from Janniece Kaelin to Robert Helms dated 11/15/2012 (Receiver 248864)
I-13	Robert Helms Deposition Transcript Excerpt (7/1/2014)
I-14	Avery Chapman Deposition Transcript Excerpts (7/14/2014)
I-15	Email from William Brock to Janniece Kaelin and Robert Helms dated 2/4/2012 (Receiver 013277)
I-16	Email from William Brock to Robert Helms dated 8/26/2011 (Receiver 012724)
I-17	Email from Jamie Moore to Janniece Kaelin dated 8/7/2012 (Receiver 271014)

I-18	Email from Marc Cole to William Brock, Janniece Kaelin and Robert Helms dated 8/8/2012 (Receiver 015044)
I-19	Email from Janniece Kaelin to Grant Smith dated 6/4/2012 (Receiver 014287)
I-20	Email from Michael Watson Copying Robert Helms and Janniece Kaelin dated 12/14/2011 (Receiver 021248)
I-21	Email from Michael Watson to Will Heath, et al., Copying Robert Helms and Janniece Kaelin dated 8/14/2013 (Receiver 005603-005604)
I-22	Email from Janniece Kaelin to Chelsea Upshaw dated 3/19/2013 (Receiver 233021)
I-23	Email from Avery Chapman to Philip Gaucher dated 11/15/2012
I-24	Douglas Smith Deposition Transcript Excerpts (7/18/2014)
I-25	Email from Avery Chapman to Robert Helms dated 11/29/2012 (PG20127-20128)
I-26	Document 88, Receiver's Motion for Order Approving Amegy Settlement
I-27	Document 88-1, Amegy Settlement and Release Agreement
I-28	Document 95, Receiver's Motion for Entry of an Order Rejecting Secured Claim of Clovis Capital Ventures, LLC
I-29	Document 95-1, Declaration of Andrew Goforth
I-30	Exhibit B to Document 95-1, Vendetta Partners Agreement of Limited Partnership
I-31	Exhibit D to Document 95-1, Vendetta Partners Subscription Agreement
I-32	Exhibit E to Document 95-1, Side Letter Security Agreement
I-33	Exhibit F to Document 95-1, Collateral Assignment of Overriding Mineral Interests Assignments
I-34	Exhibit G to Document 95-1, Documents Escrow Agreement
I-35	Exhibit H to Document 95-1, Notice of Interest (Crockett County, Texas)
I-36	Exhibit I to Document 95-1, Notice of Interest (Schleicher County, Texas)
I-37	Exhibit M to Document 95-1, Clovis Investment Memorandum
I-38	Document 95-2, Declaration of Danielle Supkis Cheek
I-39	Document 11, Order Appointing Receiver
I-40	Document 110, Receiver's Motion for Entry of Order Confirming Sale of Certain Oil and Gas Interests of Receivership Estate
I-41	Document 113, Response in Opposition to Receiver's Motion for Entry of an Order Rejecting Secured Claim of Clovis Capital Ventures, LLC and Exhibits
I-42	Document 147, Order Approving Settlement Between Receiver and Amegy Bank
	Any and all exhibits that are attached to pleadings, motions and other papers filed with the Court in this action

Pursuant to Rule 26(a)(3)(A)(iii), Clovis may offer the following exhibits at trial if the need arises:

<u>Number</u>	<u>Description</u>

Respectfully submitted, this the 6th day of February, 2015.

/s/ William R. Terpening

William R. Terpening
Admitted Pro Hac Vice

Charles G. Miller
Texas Bar No. 14061810

NEXSEN PRUET, PLLC
227 West Trade Street, Suite 1550
Charlotte, NC 28203
Telephone: (704) 338-5358
Facsimile: (704) 805-4735

Attorneys for Clovis Capital Ventures, LLC

CERTIFICATE OF SERVICE

I certify that I served the foregoing INTERVENOR CLOVIS CAPITAL VENTURES, LLC'S PRETRIAL DISCLOSURES via the Court's CM/ECF System, which will serve all registered counsel and parties of record as follows:

Timothy S. McCole
Christopher Davis
801 Cherry Street
Fort Worth, Texas 76102
Counsel for the Securities and Exchange Commission

Thomas L. Taylor III (Court Appointed Receiver)
4550 Post Oak Place Drive
Suite 241
Houston, Texas 77027-3117
Counsel for Defendants Vendetta Royalty Partners, Ltd.; Vendetta Royalty Management, LLC; Vesta Royalty Partners, LP; Vesta Royalty Management, LLC; Iron Rock Royalty Partners, LP; Iron Rock Royalty Management, LLC; Arcady Resources, LLC; Barefoot Minerals, GP; G3 Minerals, LLC; Haley Oil Company, Inc.; Lake Rock, LLC; Sebud Minerals, LLC; and Technicolor Minerals, GP

Robert A. Helms
11708 Rydalwater Lane
Austin, TX 78754

Janniece S. Kaelin
11708 Rydalwater Lane
Austin, Texas 78754

Donald Littlefield
Ballard & Littlefield, LLP
16475 Dallas Parkway
Suite 400
Dallas, TX 75001

Jack D. Ballard
Ballard & Littlefield, LLP
3700 Buffalo Speedway
Suite 250
Houston, TX 77098

I further certify that I served the foregoing INTERVENOR CLOVIS CAPITAL VENTURES, LLC'S PRETRIAL DISCLOSURES upon the unrepresented parties via US Mail as follows:

Deven Sellers
7607 Coors Court
Arvada, Colorado 80003

Roland Barrera
1762 Kenwood Place Unit H
Costa Mesa, California 92627

This the 6th day of February, 2015.

/s/ William R. Terpening